



**LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY
AGENDA**

Regular Meeting of the Board of Directors
June 8, 2022 – 9:30 a.m.

SPECIAL NOTICE OF TELECONFERENCE ACCESSIBILITY

Pursuant to the provisions of Government Code Section 54953(e), as amended by Assembly Bill 361, any Director and any member of the public who desires to participate in the open session items of this meeting may do so by accessing the Zoom link below without otherwise complying with the Brown Act's teleconference requirements.

Please click the link below to join the webinar:

<https://lagerlof.zoom.us/j/82264614906>

Or One tap mobile:

US: +16699006833,,82264614906#

Or Telephone:

US: +1 669 900 6833

Webinar ID: 822 6461 4906

Any member of the public wishing to make any comments to the Board of Directors may do so by accessing the above-referenced link where they may select the option to join via webcam or teleconference. Members of the public may also submit written comments to the Interim Clerk by 4:00 p.m. on the day prior to the meeting for the Interim Clerk to read into the record (subject to three-minute limitation). The meeting Chair will acknowledge such individual(s) at the appropriate time in the meeting prior to making their comment. Members of the public will be disconnected from the meeting prior to any Closed Session, if applicable.

NOTE: To comply with the Americans with Disabilities Act, if you need special assistance to participate in any Board meeting, please contact the Authority's Interim Clerk at rperea@lagerlof.com by 4:00 p.m. on June 7, 2022 to inform the Authority of your needs and to determine if accommodation is feasible. Each item on the Agenda shall be deemed to include any appropriate motion, resolution, or ordinance, to take action on any item. Materials related to items on this Agenda are available for public review at: www.losvaquerosjpa.com/board-meetings.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL OF DIRECTORS

Angela Ramirez Holmes, Chair, Zone 7 Water Agency
Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
TBD, Director, Contra Costa Water District
John Coleman, Director, East Bay Municipal Utility District
Dennis Herrera, Director, San Francisco Public Utilities Commission
Gary Kremen, Director, Santa Clara Valley Water District
TBD, Director – Ex Officio - Department of Water Resources

ALTERNATE DIRECTORS

Jonathan Wunderlich, Alternate Director, Alameda County Water District
Ernesto Avila, Alternate Director, Contra Costa Water District
Lesa McIntosh, Alternate Director, East Bay Municipal Utility District
Ricardo Ortega, Alternate Director, Grassland Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
Jose Gutierrez, Alternate Director, San Luis & Delta-Mendota Water Authority
Linda J. LeZotte, Alternate Director, Santa Clara Valley Water District
Sandy Figuers, Alternate Director, Zone 7 Water Agency
TBD, Alternate Director – Ex Officio, Department of Water Resources

CONSIDER ADOPTION OF RESOLUTION NO. 6-22-01 RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY FOR THE PERIOD FROM JUNE 7, 2022 TO JULY 6, 2022 PURSUANT TO BROWN ACT PROVISIONS.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Any member of the public wishing to address the Board of Directors regarding items not on the Agenda should do so at this time. The Board welcomes your comments and requests that speakers present their remarks within established time limits and on issues that directly affect the Authority or are within the jurisdiction of the Authority.

CONSENT CALENDAR

- 1.1 Approval of Minutes from May 11, 2022 Board of Directors Meeting**
- 1.2 Treasurer’s Report – Month Ended April 30, 2022**

ACTION ITEMS

- 2.1 Consider adoption of Resolution No. 6-22-02 – Resolution of the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority Approving Fiscal Year 2022-23 Budget**
- 2.2 Consider adoption of Resolution No. 6-22-03 – Resolution of the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority Establishing a Reserve Policy**
- 2.3 Consider approval of Finance Committee Charter**
- 2.4 Consider approval of Operations and Engineering Committee Charter**

DISCUSSION ITEMS

- 3.1 Program Management Approach**
- 3.2 Review of Board Policy and Action Calendar**

FUTURE AGENDA ITEMS

REPORTS

- 4.1 Directors**
- 4.2 Interim General Counsel**
- 4.3 Interim Administrator**
- 4.4 Committee Meeting Summaries**

ADJOURNMENT

CONSIDER ADOPTION OF RESOLUTION NO. 6-22-01 RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY FOR THE PERIOD FROM JUNE 7, 2022 TO JULY 6, 2022 PURSUANT TO BROWN ACT PROVISIONS.

RESPONSIBLE/LEAD STAFF MEMBER:

James Ciampa, Interim General Counsel

RECOMMENDATION:

That the Los Vaqueros Reservoir Joint Powers Authority (Authority) Board of Directors' (Board) approve the above-referenced resolution making certain findings to allow for the Authority's Board meetings to continue to be conducted remotely by teleconference without compliance with the Brown Act's established teleconference meetings requirements, as allowed by AB 361, while ensuring public access to such Board meetings.

DISCUSSION:

At the November 10, 2021 Board of Directors' meeting, the Board approved Resolution No. 11-21-01, which authorized the Board to conduct its meetings virtually by video conference. That resolution made certain findings as required by Assembly Bill 361 (AB 361) with respect to such remote meetings. That resolution has been continued at the subsequent Board meetings.

AB 361 requires that a subsequent resolution be adopted every 30 days to make findings that the emergency conditions justifying such remote meetings continue to exist. Attached Resolution No. 6-22-01 sets forth those required findings to allow for continued remote teleconferenced Board meetings, including that requiring in-person attendance at meetings of the Board would pose an imminent risk to the health and safety of those in attendance, while ensuring public access to those meetings. The attached resolution is substantially similar to the resolutions the Board previously adopted and the findings continue to be valid in light of the persistent COVID-19 statistics.

The resolution will take effect immediately and will be effective for 30 days, or until such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board may continue to meet by teleconference without compliance with Government Code section 54953(b)(3).

ALTERNATIVES:

If the Board does not adopt the resolution, in-person attendance will be required, or for those calling in, compliance with the notice and posting, in-person participation, and quorum requirements in Government Code section 54953(b)(3) would be required.

FISCAL ANALYSIS:

Not applicable

ENVIRONMENTAL REQUIREMENTS:

Not applicable

EXHIBITS/ATTACHMENTS:

Resolution No. 6-22-01

RESOLUTION NO. 6-22-01

RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY FOR THE PERIOD FROM JUNE 7, 2022 TO JULY 6, 2022 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Los Vaqueros Reservoir Joint Powers Authority (the “Authority”) is committed to preserving and nurturing public access and participation in meetings of its Board of Directors; and

WHEREAS, all meetings of the Authority’s Board of Directors are to be open and public, as required by the Ralph M. Brown Act (California Government Code Sections 54950 – 54963), so that any member of the public may attend, participate, and watch the Board conduct its business; and

WHEREAS, the Brown Act, in Government Code Section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition for application of Section 54953(e) is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the Authority’s boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Authority’s Board of Directors previously adopted Resolutions finding that the requisite conditions exist for the Authority’s Board of Directors to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953; and

WHEREAS, such conditions continue to exist in the Authority’s geographical jurisdiction, specifically, a state of emergency has been proclaimed in the State of California pertaining to the threat to the health, safety and well-being of the Authority’s directors, staff,

vendors, contractors, customers and residents presented by COVID-19, and its Delta, Omicron, BA.2 and possibly other variants, which remain highly contagious; and

WHEREAS, orders and guidance from local counties and regulations from the State of California impose limitations on gatherings and provide guidance on best practices with respect to actions to reduce the spread of COVID-19; and

WHEREAS, allowing all individual members of the Authority's Board of Directors and staff to travel from various areas around the state to meet in person would present an imminent risk to the health and safety of attendees given the spread of the Delta, Omicron and other variants of the COVID-19 virus throughout the state; and

WHEREAS, the Authority's Board of Directors does hereby find that the continuing state of emergency poses imminent risks to attendees and has caused, and will continue to cause, conditions of peril to the safety of persons within the Authority's jurisdiction that are likely to be beyond the control of services, personnel, equipment, and facilities of the Authority, and the Board of Directors desires to re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the continuing local emergency, the Board of Directors does hereby find that the Authority's Board of Directors and any Authority committees shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953, as authorized by subdivision (e) of Section 54953, and shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Section 54953; and

WHEREAS, the Authority will provide proper notice to the public regarding all Authority Board of Directors' and committee meetings, in accordance with Government Code Section 54953(e)(2)(A) and shall provide notice to the public of how they may access any such meeting via call-in number and/or internet link.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation Regarding Local Emergency. The Board of Directors hereby proclaims that a local emergency continues to exist in the geographical jurisdiction of the Authority and allowing individual members of the Authority's Board of Directors and members of the public to meet in person would present an imminent risk to the health and safety of attendees, and that conducting Authority Board of Directors virtually will minimize the possible spread COVID-19 and any variant thereof.

Section 3. Re-Ratification of Governor’s Proclamation of a State of Emergency. The Board hereby again ratifies the Governor of the State of California’s Proclamation of State of Emergency regarding COVID-19, dated March 4, 2020.

Section 4. Remote Teleconference Meetings. The Interim Administrator, Authority staff and the Board of Directors are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) the expiration of thirty (30) days from the date this Resolution was adopted, as set forth below, or (ii) such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Directors of the Authority may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority this 8th day of June, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Angela Ramirez Holmes, Chair

Attest:

Ellen Wehr, Secretary

CONSENT CALENDAR

ITEM 1.1: APPROVAL OF MINUTES FROM MAY 11, 2022 BOARD OF DIRECTORS MEETING

RESPONSIBLE/LEAD STAFF MEMBER:

James Ciampa, Interim General Counsel

RECOMMENDATION:

That the Authority's Board of Directors approve the attached minutes from the May 11, 2022 Board of Directors meeting.

DISCUSSION:

The Interim Clerk, Interim General Counsel, Interim Administrator and Secretary have prepared the attached draft minutes from the May 11, 2022 Board of Directors meeting.

ALTERNATIVES:

Any suggested revisions to the draft May 11, 2022 Board meeting minutes will be considered.

FISCAL ANALYSIS:

Not applicable

ENVIRONMENTAL REQUIREMENTS:

Not applicable

EXHIBITS/ATTACHMENTS:

Draft minutes from May 11, 2022 Board of Directors meeting.



**LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY
MINUTES**

Regular Meeting of the Board of Directors
May 11, 2022 – 9:30 a.m.

CALL TO ORDER at 9:31 a.m.

PLEDGE OF ALLEGIANCE – led by Chair, Angela Ramirez Holmes

Chair, Angela Ramirez Holmes, advised the Board that Director Kremen was sworn into office on Tuesday, May 10, 2022. Because he is still getting up to speed, he designated Alternate Director LeZotte to be the voting member for Santa Clara Valley Water District for this meeting.

ROLL CALL OF DIRECTORS

Angela Ramirez Holmes, Chair, Zone 7 Water Agency
Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Paul Sethy, Treasurer, Alameda County Water District
John Coleman, Director, East Bay Municipal Utility District
Gary Kremen, Director, Santa Clara Valley Water District

ALTERNATE DIRECTORS

Jonathan Wunderlich, Alternate Director, Alameda County Water District
*Ernesto Avila, Alternate Director, Contra Costa Water District
*Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
*Linda J. LeZotte, Alternate Director, Santa Clara Valley Water District

*Alternate Directors who replaced absent Directors from their member agencies

ABSENT

Contra Costa Water District – Director position is vacant
Ellen Wehr, Secretary, Grassland Water District
Dennis Herrera, Director, San Francisco Public Utilities Commission
Lesa McIntosh, Alternate Director, East Bay Municipal Utility District
Ricardo Ortega, Alternate Director, Grassland Water District

Jose Gutierrez, Alternate Director, San Luis & Delta-Mendota Water Authority
Sandy Figuers, Alternate Director, Zone 7 Water Agency

OTHERS PRESENT

Maureen Martin, Deputy Interim Administrator
James Ciampa, Lagerlof, LLP, Interim General Counsel
Rosemarie Perea, Interim Board Clerk
Diane Schmidt, Lagerlof, LLP
David Moore, Clean Energy Capital
Approximately 21 others

CONSIDER ADOPTION OF RESOLUTION NO. 5-22-01 RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY FOR THE PERIOD FROM MAY 8, 2022 TO JUNE 6, 2022 PURSUANT TO BROWN ACT PROVISIONS.

AB 361 requires that a subsequent resolution be adopted every 30 days to make findings that the emergency conditions justifying such remote meetings continue to exist. Attached Resolution No. 5-22-01 sets forth those required findings to allow for continued remote teleconferenced Board meetings, including that requiring in-person attendance at meetings of the Board would pose an imminent risk to the health and safety of those in attendance, while ensuring public access to those meetings. The attached resolution is substantially similar to the resolutions the Board previously adopted.

The resolution will take effect immediately and will be effective for 30 days, or until such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board may continue to meet by teleconference without compliance with Government Code section 54953(b)(3).

After discussion and upon motion by Director Coleman, seconded by Alternate Director LeZotte, Resolution No. 5-22-01 was approved by the following roll call vote:

- AYES: Angela Ramirez Holmes, Chair, Zone 7 Water Agency
Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Paul Sethy, Treasurer, Alameda County Water District
John Coleman, Director, East Bay Municipal Utility District
Ernesto Avila, Alternate Director, Contra Costa Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
Linda J. LeZotte, Alternate Director, Santa Clara Valley Water District
- NOES: None
- ABSENT: Ellen Wehr, Secretary, Grassland Water District
- ABSTAIN: None

The motion passed with a 7-0 vote

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

CONSENT CALENDAR

1.1

APPROVAL OF MINUTES FROM APRIL 13, 2022 BOARD OF DIRECTORS' MEETING

Upon motion by Alternate Director Avila, seconded by Treasurer Sethy, the April 13, 2022 Board meeting minutes, in the form presented, were approved by the following roll call vote:

AYES: Angela Ramirez Holmes, Chair, Zone 7 Water Agency
Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Paul Sethy, Treasurer, Alameda County Water District
John Coleman, Director, East Bay Municipal Utility District
Ernesto Avila, Alternate Director, Contra Costa Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
Linda J. LeZotte, Alternate Director, Santa Clara Valley Water District

NOES: None

ABSENT: Ellen Wehr, Secretary, Grassland Water District

ABSTAIN: None

The motion passed with a 7-0 vote

ACTION ITEMS

2.1

CONSIDER ADOPTION OF RESOLUTION NO. 5-22-02 – RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY APPROVING SUBMITTAL OF LETTER OF INTEREST TO APPLY FOR A LOAN PROVIDED UNDER THE WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT

Resolution No. 5-22-02 would approve the submittal of a Letter of Interest (LOI) on the Authority's behalf to the U.S. Environmental Protection Agency (USEPA) to express the Authority's intent to apply for a loan under the Water Infrastructure Finance and Innovation Act (WIFIA) in an amount not to exceed \$675,000,000, which reflects 49% of eligible project costs and is the maximum amount for such a loan. The requested loan amount is for LOI purposes only and can be revised upwards or downwards in the WIFIA loan application that will start the second phase of the WIFIA borrowing process.

Deputy Interim Administrator Maureen Martin advised that the submittal of the LOI is the first step in the process. She also reviewed the *Summary of Sources and Uses of Funds* included in the meeting materials and provided additional information regarding Resolution No. 5-22-02.

After discussion and upon motion by Director Coleman, seconded by Alternate Director Ritchie, and unanimously carried, Resolution 5-22-02 Approving Submittal of Letter of Interest to Apply for a Loan Provided Under the Water Infrastructure Finance and Innovation Act was adopted by the following roll call vote:

AYES: Angela Ramirez Holmes, Chair, Zone 7 Water Agency
Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Paul Sethy, Treasurer, Alameda County Water District
John Coleman, Director, East Bay Municipal Utility District
Ernesto Avila, Alternate Director, Contra Costa Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
Linda J. LeZotte, Alternate Director, Santa Clara Valley Water District

NOES: None

ABSENT: Ellen Wehr, Secretary, Grassland Water District

ABSTAIN: None

The motion passed with a 7-0 vote

DISCUSSION ITEMS

3.1

FY23 BUDGET OVERVIEW

Deputy Interim Administrator Martin presented the Board with a detailed overview of the Fiscal Year 2022-23 (“FY23”) Budget. She advised the presentation was similar to the one made at the April 28 Finance Committee meeting, with a few updates. Ms. Martin answered various questions posed by members of the Board, particularly regarding various cost and asset issues.

The final version of the FY23 Budget will be brought back to the Board at the June meeting for further discussion and action.

3.2

REVIEW OF BOARD POLICY AND ACTION CALENDAR

Deputy Interim Administrator Martin reviewed the updated Board Policy and Action Calendar with respect to upcoming actions and items.

FUTURE AGENDA ITEMS

None.

REPORTS

4.1 – Directors

Chair Angela Ramirez Holmes asked members of the Board to review their summer vacation schedules to ensure there will be coverage for their agencies at upcoming Board meetings to ensure a quorum is present at every meeting. She also advised that a summary of the committee meetings will be prepared rather than formal meeting minutes, as that will expedite getting the committee meeting information and activities to the Board.

4.2 - Treasurer

Treasurer Paul Sethy provided an oral report on the monthly Treasurer’s Report included in the Board packet. He advised that it was the consensus of the Finance Committee to have the Treasurer’s Report be reviewed by the Finance Committee each month and then be submitted to the Board of Directors on the Consent Calendar at the next Board of Directors meeting.

4.3 - Interim General Counsel

No report.

4.4 – Deputy Interim Administrator

Deputy Interim Administrator Maureen Martin stated she will be attending the California Water Commission meeting next week to seek an increase in the Early Funding Agreement by approximately \$1 million and to seek to extend that agreement. She also provided an update on the Executive Director recruitment process, with the recruitment brochure being completed and now available for distribution. She stated that as of now there are two applicants. The deadline for submission is June 17, 2022. The Authority will be signing onto a joint letter of support with other water storage projects to urge Governor Newsom to utilize a portion of the state’s budget surplus to offset the cost increases those projects will be experiencing.

4.5 – Finance Committee March 31, 2022 Meeting Minutes

A copy of the March 31, 2022 Finance Committee meeting minutes are provided for the Board members’ information.

The meeting was adjourned at 10:48 a.m.

Angela Ramirez Holmes, Chair

ATTEST:

Rosemarie Perea, Interim Board Clerk

ITEM 1.2: TREASURER’S REPORT – MONTH ENDED APRIL 30, 2022

RESPONSIBLE/LEAD STAFF MEMBER:

Marguerite Patil, Interim Administrator

DISCUSSION:

As previously discussed, the new procedure will be to have the Finance Committee review the Treasurer’s Report for the prior month (here, April 2022) and then have the Board of Directors consider that report at its next meeting. The Treasurer’s Report for April 2022, as reviewed and approved at the May 26 Finance Committee meeting, is attached for the Board’s review, discussion and possible approval.

ALTERNATIVES:

For discussion purposes

FISCAL ANALYSIS:

None

ENVIRONMENTAL REQUIREMENTS:

Not applicable

EXHIBITS/ATTACHMENTS:

Treasurer’s Report for Month Ended April 30, 2022



TREASURER MONTHLY REPORT

MULTI-PARTY AGREEMENT STATUS

Amendment No. 3 to the Multi-party Cost Share Agreement (MPA) was executed on November 1, 2021 and the first invoice of \$448,560 per agency was sent out in January 2022.

The following chart provides an overview of the MPA expenditures through April 30, 2022. The in-kind services, funds received, outstanding receivable, and cash on hand are shown through April 30, 2022. All LAPs remain in good standing on progress payments and the Project cash on hand remains positive.

MAY 26, 2022

UPCOMING ACTIVITIES

May 23 at 1:00 p.m. – Finance workshop on LVE operations and capacity sharing via Teams (with LAP Staff and Clean Energy Capital)

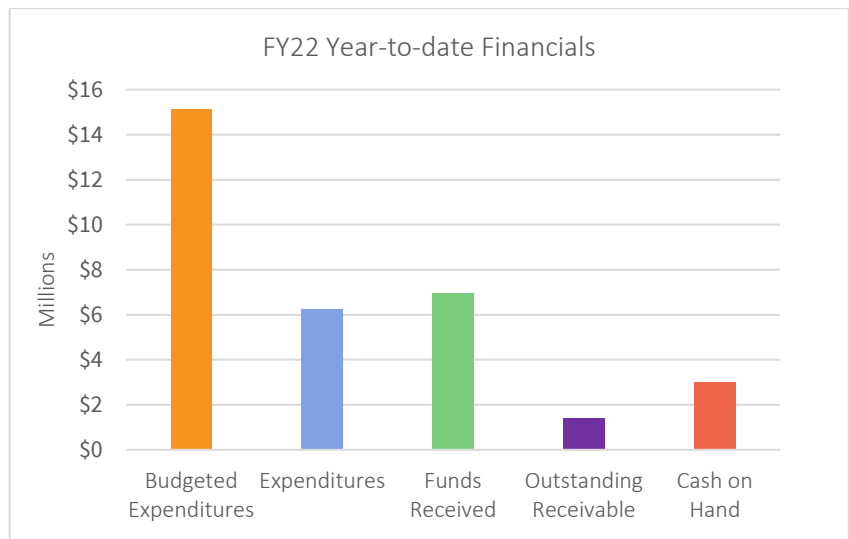
Finance Committee Members:

Chair: Anthea Hansen, SLDMWA

Vice-Chair: Paul Sethy, ACWD

John Coleman, EBMUD

Linda LeZotte, SCVWD



ACRONYM KEY

MPA – Multiparty Agreement

CCWD – Contra Costa Water District

LAP – Local Agency Partners

CWC – California Water Commission

MPA Summary to Date:

MPA Cost: \$50,187,865 (total through Amendment No. 3)

Expenditures:

CCWD: \$22,404,394 (includes consultants and legal services)

LAP: \$4,498,459 (in-kind services)

Total: \$26,902,852

Funds Received:

CWC: \$12,162,516

LAP: \$11,606,362 (cash contributions)

LAP: \$4,498,458 (in-kind services)

Total: \$28,267,337

Outstanding Receivable:

CWC: \$956,347

LAP: \$448,560

Cash on Hand: \$2,992,837

FEDERAL FUNDING STATUS

The FY22 Continuing Resolution that went into effect September 30, 2021 included \$50 million in Federal funding for the Project. This is in addition to the \$14 million that was appropriated in FY21. A funding agreement with Reclamation for the FY21 cost share provided to the LAPs (50 percent or approximately \$7 million) has been executed.

Future Federal funding requests include the remainder of the maximum federal share of 25 percent of the total project cost (approximately \$160 million). Some portion of the federal funding share may be available in the Bipartisan Infrastructure Law (the Infrastructure Investment and Jobs Act that was signed on November 15, 2021).

STATE FUNDING STATUS

The Project qualified for funding under the Water Storage Investment Program and received an adjusted Maximum Conditional Eligibility Determination of \$477,558,343 from the California Water Commission (CWC) on March 16, 2022. This amount reflects an additional inflation adjustment of 1.5 percent and an increase in over \$7 million from the previous award.

The Early Funding Agreement with the CWC provides for a cost share of 50 percent of eligible costs through December 31, 2022. An amendment is being developed to extend the agreement through December 31, 2023 and include additional funds that can be approved as a result of the inflation adjustments.

Early Funding Agreement Summary to Date:

Total Budget:	\$45,900,000
Total Program Funding:	\$22,950,000 (50 percent cost share)
Total Billed To Date:	\$26,902,852 (59% spent to date)
Total Amount Remaining:	\$18,997,148
Total Retention To Date:	\$441,684
Outstanding Invoices:	\$517,848

ACTION ITEMS

ITEM 2.1: CONSIDER ADOPTION OF RESOLUTION NO. 6-22-02 – RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY APPROVING FISCAL YEAR 2022-23 BUDGET

RESPONSIBLE/LEAD STAFF MEMBER:

Maureen Martin, Deputy Interim Administrator

DISCUSSION:

The Los Vaqueros Reservoir Joint Exercise of Powers Agreement (JPA Agreement) requires that the Board of Directors adopt a budget prior to the start of each Fiscal Year, to include, at this stage of the Authority’s existence, components to fund the Authority’s administrative and operational costs. The Budget may be adopted on a single Fiscal Year or bi-annual basis, in the Board of Directors’ discretion.

In prior Board of Directors’ meetings, the Board was provided an overview of the Budget development process for a single Fiscal Year Budget for Fiscal Year 2023 (“FY23”, for the period of July 1, 2022 through June 30, 2023). The final version of the FY23 Budget was presented to the Finance Committee at its May 26, 2022 meeting. The Finance Committee approved of that Budget and recommends that the Board of Directors consider adoption of the FY23 Budget in the form presented. This item will provide the Board of Directors with further details on the status of that process, provide an overview of the final version of the FY23 Budget at this stage, and allow the Directors and Alternate Directors to provide final input regarding the FY23 Budget.

ALTERNATIVES:

For discussion purposes

FISCAL ANALYSIS:

Fiscal impact will vary based upon the approved FY23 Budget

ENVIRONMENTAL REQUIREMENTS:

Not applicable

EXHIBITS/ATTACHMENTS:

Resolution 6-22-02 and attached FY 23 Budget Book

RESOLUTION NO. 6-22-02

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOS VAQUEROS
RESERVOIR JOINT POWERS AUTHORITY APPROVING
FISCAL 2022-23 BUDGET**

WHEREAS, Section 7.2 of the Los Vaqueros Reservoir Joint Exercise of Powers Agreement requires the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority (the “Authority”) to annually adopt a budget prior to the start of each fiscal year; and

WHEREAS, Authority staff has prepared for the fiscal year commencing on July 1, 2022 and ending June 30, 2023 a Budget that sets forth guidelines for expending Authority funds for that fiscal year; and

WHEREAS, the Authority’s Finance Committee has reviewed and considered the draft Authority Budget for the 2022-23 fiscal year (the “FY23 Budget”); and

WHEREAS, the Authority’s Finance Committee recommended to the Authority’s Board of Directors the approval of the FY23 Budget in the form presented to the Finance Committee setting forth total budgeted expenditures of approximately \$22.53 million; and

WHEREAS, the Authority’s Board of Directors has reviewed the draft FY23 Budget and the recommendation of the Finance Committee and determined that it is in the best interest of the Authority that said Budget be approved.

NOW THEREFORE, the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority hereby resolves and approves the Budget for the Authority’s 2022-23 fiscal year, in the FY23 Budget Report attached and presented at this meeting.

PASSED AND ADOPTED by the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority this 8th day of June, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Angela Ramirez Holmes, Chair

Attest:

Ellen Wehr, Secretary

Los Vaqueros Reservoir

Joint Powers Authority



Proposed

FY23 Budget

(July 1, 2022 – June 30, 2023)



Background Information

The Los Vaqueros Reservoir Joint Powers Authority (JPA) was formed in October 2021 to provide governance of the Phase 2 Los Vaqueros Reservoir Expansion Project (Project). The eight agencies which make up the JPA include: Alameda County Water District, Contra Costa Water District, East Bay Municipal Utility District, Grassland Water District, San Francisco Public Utilities Commission, San Luis & Delta-Mendota Water Authority, Santa Clara Valley Water District, and Zone 7 Water Agency. The main purposes of the JPA are to ensure sufficient stable funding for the Project, including local cost shares, and to ensure that costs are reasonable, and that cost allocations are equitable and transparent.

THE PROJECT

The Project will enhance Bay Area and Central Valley water supply reliability, develop water supplies for wildlife refuges, and improve water quality while protecting Delta fisheries and providing additional Delta ecosystem benefits. Figure 1 shows a map of the Project location and benefits. When completed, it will increase the Los Vaqueros Reservoir's capacity from 160,000 acre-feet to 275,000 acre-feet and add new and modified conveyance facilities to provide environmental, water supply reliability, operational flexibility, water quality, and recreational benefits. Figure 2 shows a schematic of existing, modified, and new facilities that comprise the Project.

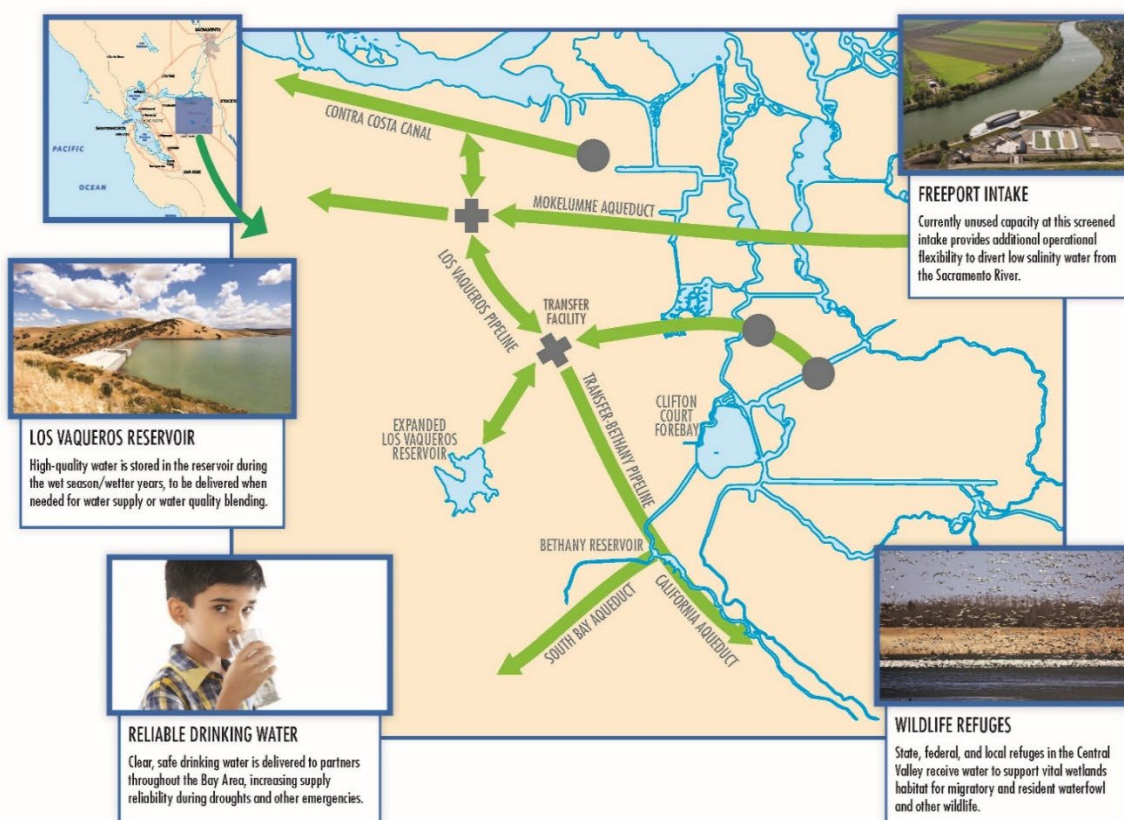


Figure 1 Location of Phase 2 Los Vaqueros Reservoir Expansion Project and Benefits

Contra Costa Water District (CCWD) currently serves as the Interim Administrator under contract to the JPA. Ultimately, administration services provided by CCWD will be replaced by a new Executive Director and other services procured by the JPA. These services include preparation of JPA Board materials, public outreach, website maintenance, banking, financial audits, and grant administration. CCWD will continue to provide technical services to the JPA as required.

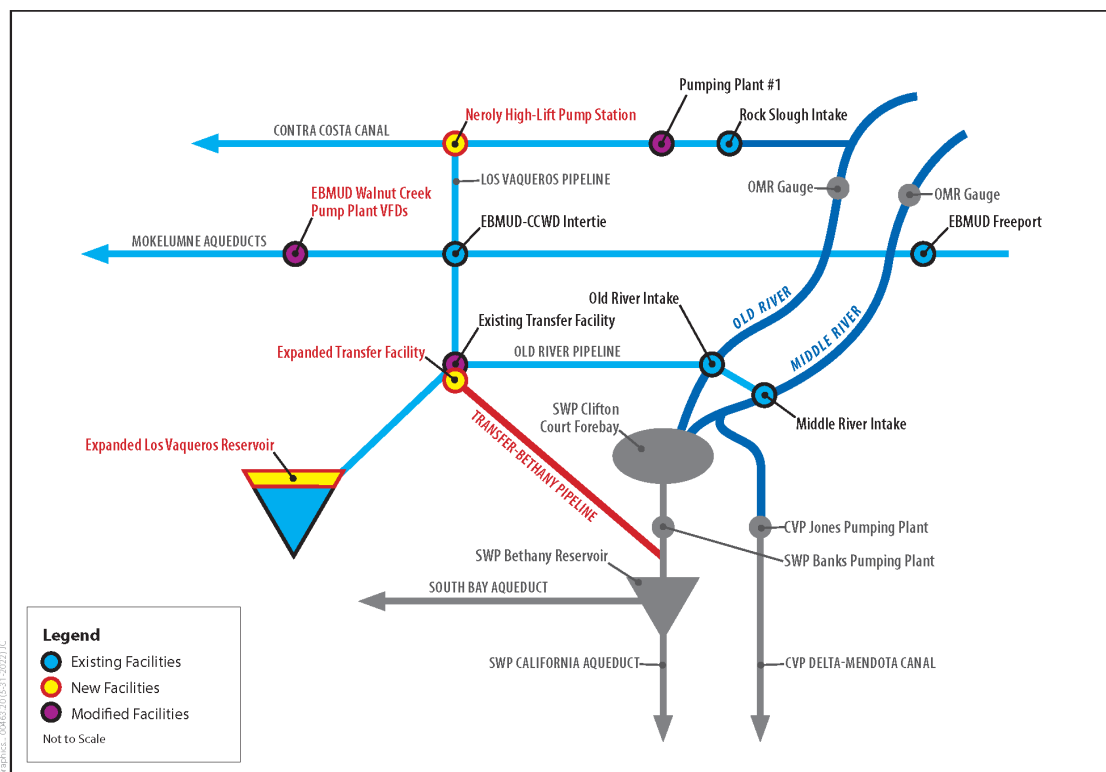


Figure 2 Schematic of Phase 2 Los Vaqueros Reservoir Expansion Project Facilities

Activities currently underway include permitting, facilities design, and agreement development, while also pursuing additional funding for the Project. The Project has been conditionally awarded \$477 million of Proposition 1 funds from the California Water Commission, and recently received an additional \$50 million in federal appropriations. The remainder of the project costs will be covered by additional federal funding, JPA Member contributions, and financing. Construction may begin as early as late 2023, pending necessary reviews, approvals, and funding, and is anticipated to continue through 2030. Additional information is available at losvaquerosjpa.com.

The Board Members, officers, interim contractors, and anticipated contractors to the JPA (JPA services) are summarized below.

Board Members

Alameda County Water District

Director

Paul Sethy, Treasurer

Alternate Director

Jonathan Wunderlich

East Bay Municipal Utility District

Director

John Coleman

Alternate Director

Lesa McIntosh

San Francisco Public Utilities

Commission

Director

Dennis Herrera

Alternate Director

Steve Ritchie

Valley Water

Director

Gary Kremen

Alternate Director

Linda J. LeZotte

Contra Costa Water District

Director

TBD

Alternate Director

Ernesto Avila

Grassland Water District

Director

Ellen Wehr, Secretary

Alternate Director

Ricardo Ortega

San Luis & Delta-Mendota Water

Authority

Director

Anthea Hansen, Vice Chair
(Del Puerto Water District)

Alternate Director

Jose Gutierrez
(Westlands Water District)

Zone 7

Director

Angela Ramirez Holmes, Chair

Alternate Director

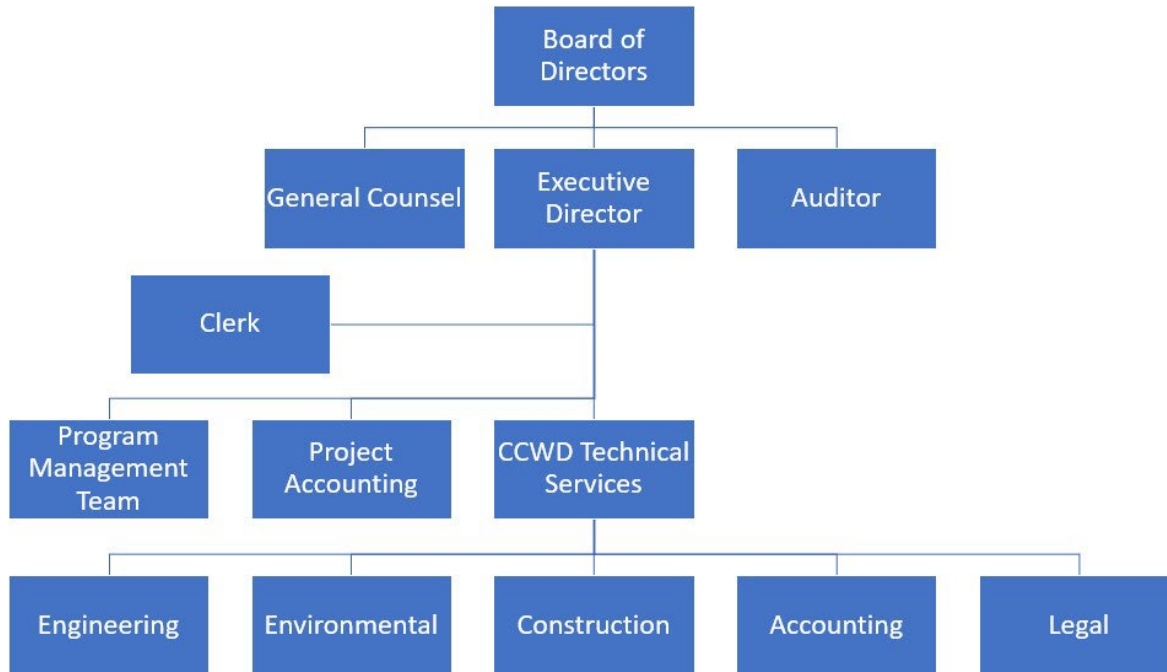
Sandy Figuers

Department of Water Resources

Ex-Officio

Department of Water Resources (DWR) is anticipated to appoint a non-voting member, pursuant to Water Code Section 79759(b))

Organizational Chart



Interim Contractors to the JPA

Jim Ciampa – Interim General Counsel

Rose Perea – Interim Clerk to the Board

Marguerite Patil – Interim Administrator

Maureen Martin – Deputy Interim Administrator

Key Milestones

During the first full fiscal year of the JPA, many significant milestones are anticipated to lay the foundation for JPA work in years to come. During FY23 the following milestones are anticipated:

- Complete recruitment and selection process and execute contract with an Executive Director
- Competitively procure Program Management Consultant
- Procure banking and other financial services
- Transition administration services from CCWD to the JPA
- Execute an Interim Funding Agreement between the JPA and its Members
- Execute a Technical Services Agreement with CCWD
- Execute a Service Agreement between the JPA and its Members
- Apply for a Water Infrastructure Finance and Innovation Act (WIFIA) Loan
- Complete permitting of the Project
- Continue design of key Project facilities
- Prepare for California Water Commission (CWC) final funding award hearing

Source of Funds

Approximately \$22.5 million of state, federal, and local funding is expected in FY23. Table 1 below shows a summary of the sources of funds. Figure 3 shows the relative contribution of the various sources of funds anticipated in FY23.

STATE FUNDING

The Project is qualified for up to \$477,558,343 of state funding through the Water Storage Investment Program administered by the California Water Commission (CWC). In 2018, CCWD executed an Early Funding Agreement with the CWC that provides for a state cost share of 50 percent of eligible costs, up to a maximum of \$23,877,917, through December 31, 2023. It is estimated that approximately \$4.1 million will be provided by the CWC in FY23 through the Early Funding Agreement. The non-state cost share is provided by federal and local funding. It is anticipated that the funds available under the Early Funding Agreement will be fully encumbered in FY23. The CWC is invoiced monthly, and payments are in arrears. CCWD will collect state funds until the term of the Early Funding Agreement expires.

FEDERAL FUNDING

Although over \$50 million has been appropriated by Congress for construction of the Project, it is assumed that only funding for pre-construction activities will be available in FY23. In 2022, CCWD executed an Assistance Agreement with Reclamation to fund a portion of pre-construction activities. The Assistance Agreement provides for a federal cost share of 24 percent of eligible costs through December 31, 2023. The budget of the Assistance Agreement is for \$29,957,575, including \$7,189,818 in Reclamation cost share (24%) and \$22,767,757 in non-Federal cost share (76%). Non-Federal cost share is provided by state and local funding. Reclamation is invoiced quarterly, and payments are in arrears. It is anticipated that approximately \$5.1 million will be provided by Reclamation in FY23. CCWD will collect federal funds in FY23 until the term of the Assistance Agreement expires or until such a time that the Assistance Agreement could be transferred to the JPA.

The JPA anticipates applying for a Water Infrastructure Finance and Innovation Act (WIFIA) loan in FY23 for up to \$675 million; if the application is accepted, it is anticipated that the loan would close in future fiscal years beyond FY23.

LOCAL FUNDING

The JPA Members have been contributing funds to the Project since 2017 through a series of local cost share agreements between CCWD and other JPA Members. The Multiparty Cost Share Agreement was executed in 2019 and has been amended multiple times. The term of Amendment No. 3 covers local funding for expenses incurred through December 31, 2022. It is anticipated that Amendment No. 4 will be executed to extend the term through June 30, 2023. It is anticipated that JPA Members collectively will contribute \$10.8 million in FY23. It is anticipated that the JPA Members will be invoiced at the beginning (July 2022) and mid-cycle (January 2023) of FY23. CCWD, as Interim Administrator of the JPA, will collect local funds in FY23 until CCWD is able to transfer administrator services to the JPA and the Interim Funding Agreement among the JPA Members has been executed.

RE-BUDGET FROM FY22

A portion of funds that have been collected by CCWD for the Project in the previous fiscal years from state, federal, and local sources remain unspent. The unspent funding collected for the Project will be re-budgeted into FY23. Approximately \$2.53 million is anticipated to be re-budgeted.

Table 1 Source of Funds in FY23

Source	FY23
State	\$4,100
Federal	\$5,100
Local	\$10,800
Carryover (re-budget) funding from FY22	\$2,530
Total	\$22,530

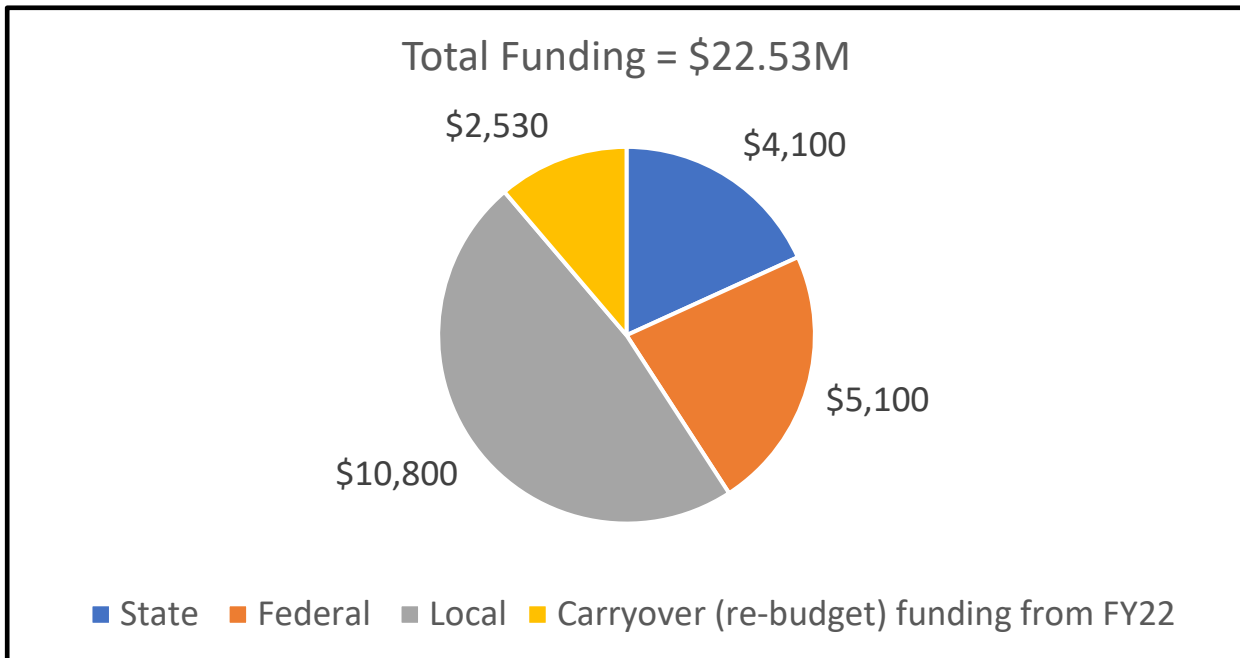


Figure 3 – Source of Funds in FY23 (\$1000)

Use of Funds

Approximately \$22.53 million in expenditures are expected in FY23. The use of funds includes services procured by the JPA (JPA Services), services procured and managed by CCWD (CCWD Services), CCWD Labor, and contingency. Table 2 below shows a summary of the use of funds. Figure 4 below shows the relative contribution of the various use of funds anticipated in FY23.

JPA SERVICES

One of the first services the JPA will procure in FY23 is an Executive Director. It is anticipated that the Executive Director will begin by December 2022 and the budget reflects expenses for six months in FY23. Once the contract with the Executive Director has been executed, it is anticipated that the JPA will competitively procure a program management consultant and other services such as banking, financial advisor, project accounting, and auditor. Development and execution of the Service Agreement to finalize the allocation of Project benefits and costs to the JPA Members is also anticipated in FY23. The JPA anticipates applying for a WIFIA loan in FY23 for up to \$675 million; there are non-refundable fees associated with obtaining an indicative credit rating for the JPA and fees to apply for a WIFIA loan which are included in the budget. Total expenditures in FY23 for JPA services is anticipated to be \$1.39 million.

CCWD SERVICES AND LABOR

CCWD is responsible for the planning, permitting, design and construction of all facilities built and operated by CCWD described in Exhibit B of the JPA Agreement. CCWD, has and will continue to hire consultants and staff to advance the Project, consistent with CCWD's procurement and hiring process. Permit applications have been submitted and it is anticipated permits will be issued in FY23. Design will continue to advance for the Pumping Plant No. 1 Replacement and Transfer-Bethany Pipeline in FY23. It is anticipated that dam design will be completed early in FY23. CCWD will continue to use CCWD's legal counsel to review key permits and contracts held by CCWD (i.e., water rights, etc.). It is anticipated that \$13.4 million will be expended on CCWD Services in FY23.

The budget for CCWD staff managing services, conducting technical work, and advancing the Project in FY23 is \$6.4 million. CCWD employees direct bill hours to the Project. Taxes, benefits, and indirect costs are applied to direct billed hours.

CONTINGENCY

A contingency amount of \$1.34 million is included in the budget for FY23. This represents approximately 10 percent of the total services. Contingency will be used to address changes to the Project while continuing to meet key milestones and could be applied to JPA Services, CCWD Services, or CCWD Labor.

Table 2 Use of Funds in FY23

Expenditures	FY23 Total (\$1000)
JPA Services:	
Executive Director	\$150
Program Management	\$400
WIFIA Loan Application Fee	\$100
Credit Rating	\$100
Insurance	\$30
Financial Advisor	\$350
CPA and Auditor	\$120
General Counsel	\$140
<i>JPA Services Subtotal</i>	\$1,390
CCWD Services	\$13,400
CCWD Labor	\$6,400
Contingency	\$1,340
Total	\$22,530

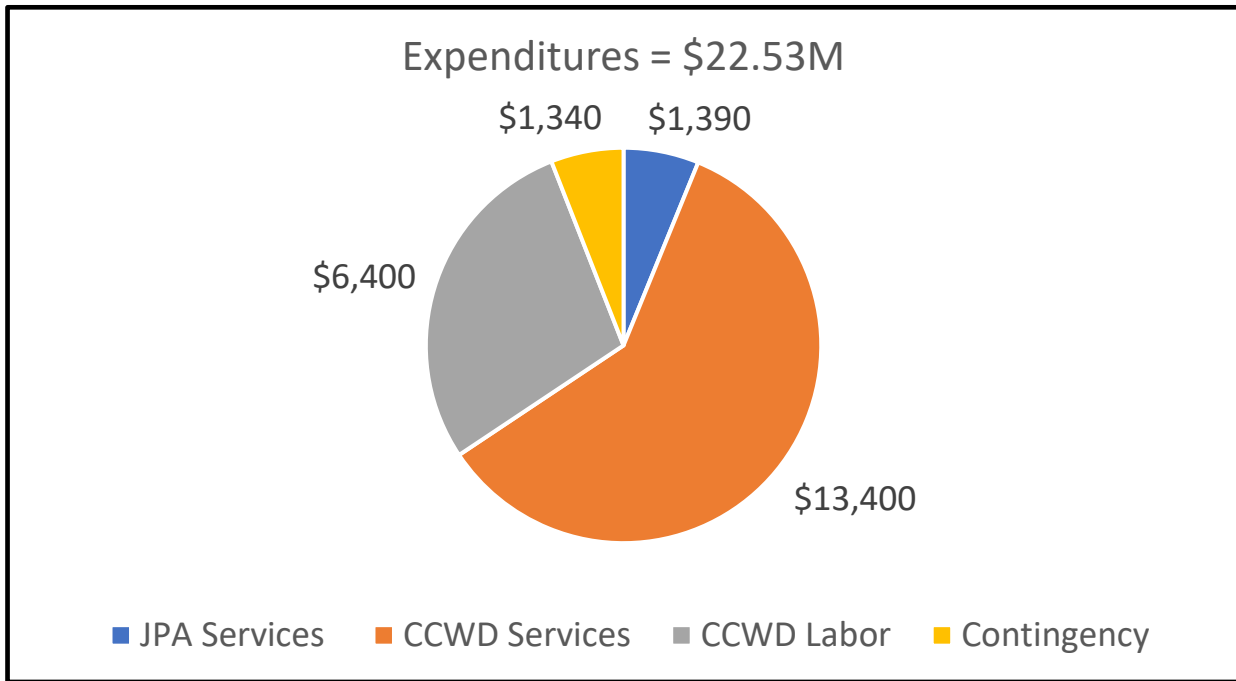


Figure 4 - Use of Funds in FY23 (\$1000)

Capital

All the costs for development of the Project are currently identified as capital costs through FY23. Project development expenditures will be categorized as capital until the Project become operational. It is anticipated that the development phase will continue through FY23. Construction is expected to begin as early as late 2023. Partial operation of the Project is not expected to commence until 2027 at the earliest. Until such time that the Project becomes operational, all development and construction expenses, and JPA administrative services are considered capital expenditures. Table 3 below summarizes the capital budget in FY23. Figure 5 shows the preliminary schedule of pre-construction activities leading up to the CWC final award hearing. Figure 6 shows the preliminary construction schedule of the project facilities.

Table 3 Capital Budget

Capital Budget	FY23 Total
JPA Services	\$1,390
CCWD Services	\$13,400
CCWD Labor	\$6,400
Contingency	\$1,340
Total	\$22,530

Los Vaqueros Reservoir Joint Powers Authority Preliminary Timeline of Major Activities

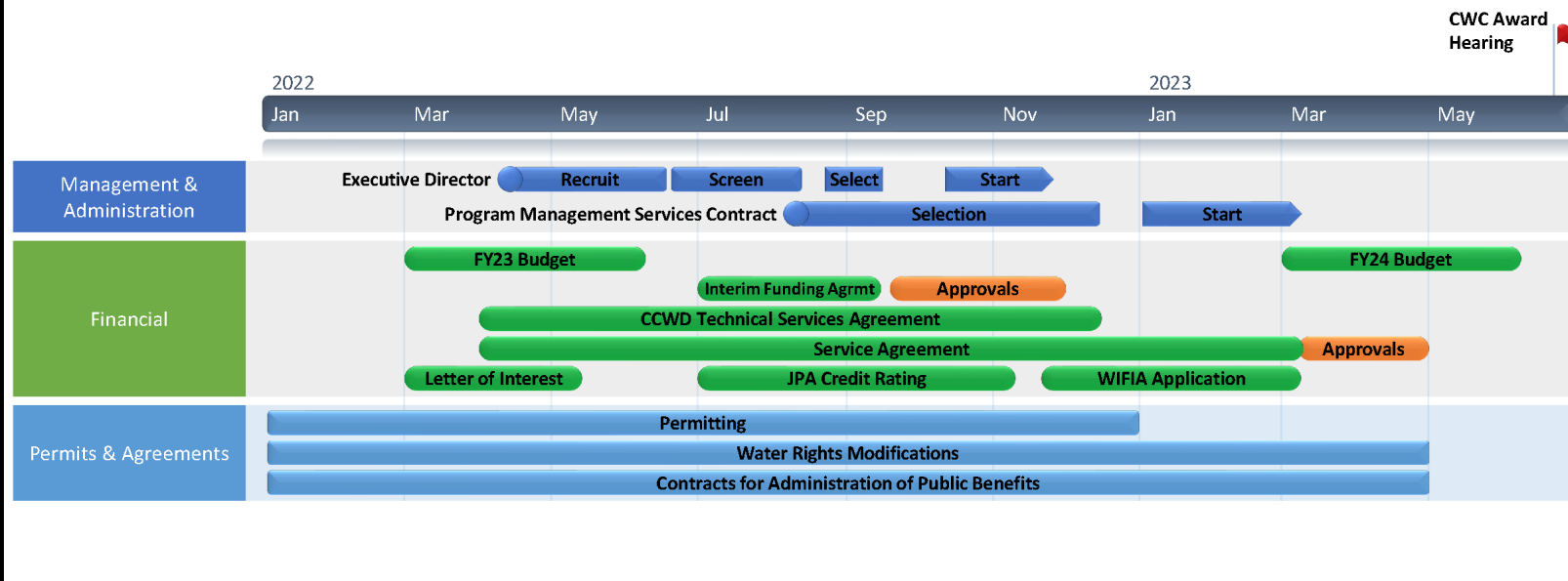


Figure 5 Preliminary Pre-Construction Schedule Phase 2 Los Vaqueros Reservoir Expansion Project

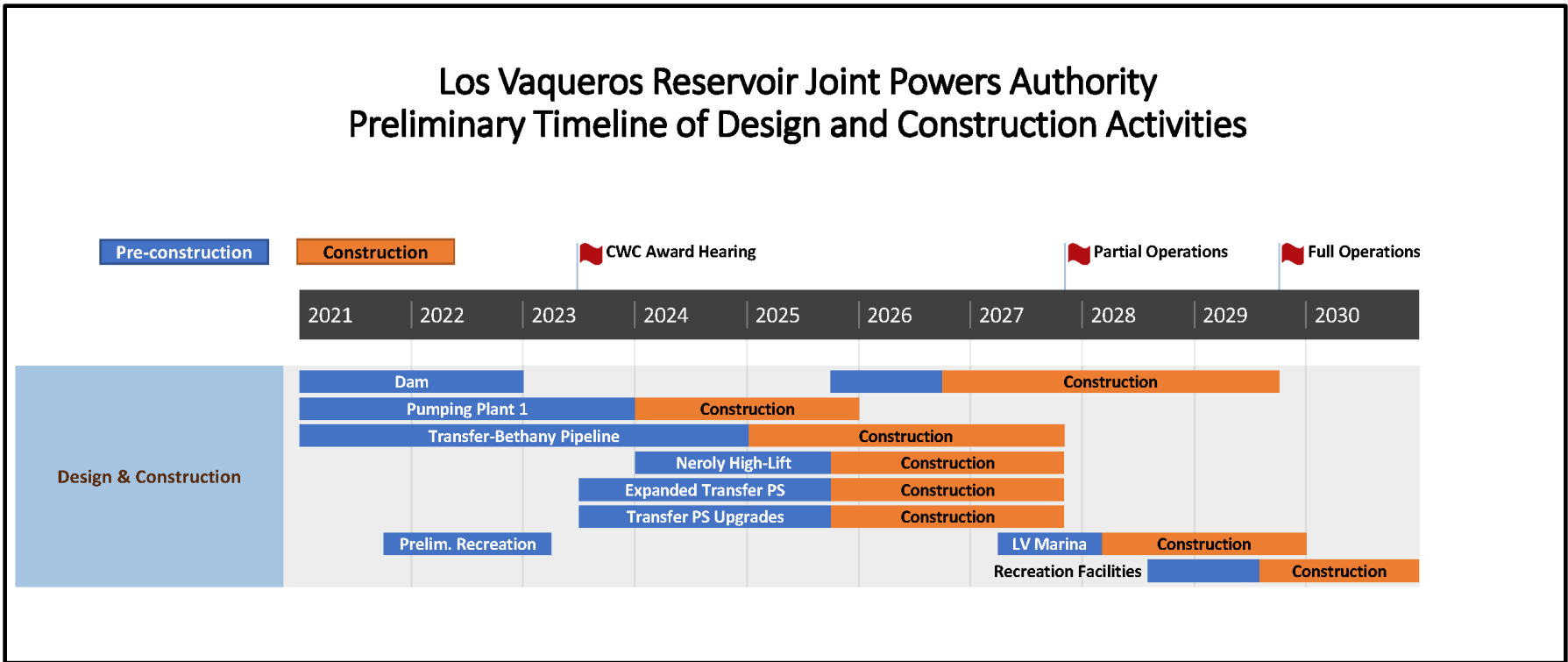


Figure 6 Preliminary Construction Schedule of the Phase 2 Los Vaqueros Reservoir Expansion Project

Operating

It is anticipated that the development phase will continue through FY23. Construction is expected to begin in late 2023 or early 2024. Partial operation of the Project is not expected to commence until 2027 at the earliest. Until such time that the Project becomes operational and begins to deliver water to JPA Members, expenses will be capitalized and there will be no operating expenses of the JPA.

ITEM 2.2: CONSIDER ADOPTION OF RESOLUTION NO. 6-22-03 – RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY ESTABLISHING A RESERVE POLICY

RESPONSIBLE/LEAD STAFF MEMBER:

James Ciampa, Interim General Counsel

DISCUSSION:

Although the Authority will be funded by the Members on a pass-through basis based on the respective Members' Service Agreements, to ensure adequate monies are on hand to meet the Authority's financial obligations, it would be prudent for the Authority to establish monetary reserves that can be drawn upon if necessary to meet Authority financial obligations and then be subsequently replenished. The attached Reserve Policy was reviewed and revised by the Finance Committee, which unanimously concurred at its May 26 meeting to recommend the Board of Directors consider adoption of the Reserve Policy in the form presented. Note that the initial level in the Administrative and Operating Fund Reserve will be determined at 17% of the approved FY23 Budget amount.

ALTERNATIVES:

The Board could recommend revisions to the attached policy or could defer action on the Reserve Policy to a later date.

FISCAL ANALYSIS:

Fiscal impact will depend on the levels for the Fund Reserves.

ENVIRONMENTAL REQUIREMENTS:

Not applicable

EXHIBITS/ATTACHMENTS:

Resolution No. 6-22-03 – Resolution of the Board of Directors Establishing a Reserve Policy.

RESOLUTION NO. 6-22-03

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY
ESTABLISHING A RESERVE POLICY**

WHEREAS, it is prudent for a public agency to maintain established levels of reserves and the Joint Exercise of Powers Agreement for the Los Vaqueros Reservoir Expansion Joint Powers Authority requires the establishment of reserve accounts for administrative, operational, debt service and capital costs; and

WHEREAS, reserves serve as a risk management tool to provide a buffer and mitigation against both uncertain and known risks, and whereas established reserves provide financial resiliency and stability to an agency; and

WHEREAS, the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority deems it prudent to establish a policy to provide guidance and to monitor the establishment and maintenance of reserves; and

NOW THEREFORE, the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority hereby adopts the following Reserve Policy.

Los Vaqueros Reservoir Joint Powers Authority Reserve Policy

Purpose

Establishment of proper reserves is an integral part of the fiscal health of the Los Vaqueros Reservoir Joint Powers Authority (the “Authority”). Specifically, this policy is set forth to:

1. Define Reserve Funds, their funding sources and allowable uses; and
2. Establish Reserve Fund Targets that -
 - a. Provide sufficient funds on hand with the Authority to pay administrative, operating, capital improvement and debt service obligations on time; and
 - b. Minimize the amount of funds held with the Authority as compared to its Members, as well as minimize the need to request advanced Member funding contributions; and
3. In conjunction with the Service Agreements, establish the allocation basis for how much each Member contributes to fund reserves to meet reserve fund targets; and
4. Assign authority to the Executive Director or their delegatee to invoice required contributions and advances from the Members to meet the Reserve Fund Targets as established in this policy.

General Background

The Authority was created in October of 2021 through the approval of a Joint Exercise of Powers Agreement (JPA Agreement), among the Authority’s eight members: Alameda County

Water District, Contra Costa Water District (“CCWD”), East Bay Municipal Utility District, Grassland Water District, San Francisco Public Utilities Commission, San Luis & Delta-Mendota Water Authority, Santa Clara Valley Water District and Zone 7 Water Agency. The Authority was formed in connection with the Phase 2 Los Vaqueros Reservoir Expansion Project. The Authority was formed with a financial structure that essentially acts as a pass-through entity of the expenses to its Members through operating fund and non-operating fund cost allocations assigned to each Member as determined by the Service Agreements into which each Member and the Authority will enter.

Operating Funds

The Authority operates on a model where it contracts out its operations and administrative functions and retains no staff of its own. CCWD was designated as the Authority’s Interim Administrator and subsequently an Executive Director will be retained to assist with the management of the Authority’s activities. The Authority will enter into separate Service Agreements with each Member that will allocate various administrative and operating costs among the Members. When necessary, the Administrator will invoice Members in accordance with their respective Service Agreement to obtain funds necessary to meet the Authority’s payment obligations.

Non-Operating Funds

Both costs for capital improvement projects (CIP) and debt service payments are incurred and will be paid directly by the Authority and have separate revenue streams from each Member that are established in the annual non-operating fund budget. Debt Service costs are highly predictable due to their predetermined nature but have severe consequences for late or non-payment. Each Member is required to make its own debt service payments in alignment with the debt service schedule. Due to the strong credit history and ratings of each Member, there is no expectation of a Member not being able to make payments. However, it is prudent to mitigate any risk of potential technical difficulties in making payments, such as with a bank error, by having sufficient cash on hand to cover a Member’s payment in the event of unforeseen complications.

Alternatively, capital costs can vary significantly in both amount and timing from projections due to the nature of construction costs and progress. Overall budgets for CIP are approved on a per project basis, and each project’s respective funding requirements are anticipated for the upcoming fiscal year in the non-operating fund budget and its related capital contribution requirements. These capital contributions are billed to Members in advance on an annual basis based on the estimated funding requirements of the approved CIP to ensure sufficient funding to make project payments.

Administrative and Operating Fund Reserve

Purpose: To establish a permanent reserve that provides sufficient liquidity as working capital to fund administrative and operating expenses of the Authority.

Reserve Target: This reserve target is set on the basis of providing for a minimum of two months of budgeted administrative and operating expenses and shall generally be calculated at 17% (2 months / 12 months) of the annual operating budget. It is initially established at a minimum amount of \$ [tbd based on FY23 Budget] and shall be updated every year in the budget review and

approval process and may be set at amounts higher than this as approved by the Board in consideration of special circumstances at that time.

Source of Funds: Contributions shall be assessed to each Member based on its administrative and operating expense allocation as specified in its Service Agreement and updated in the operating budget for the fiscal year applicable to when the contribution is required. Any necessary replenishment of the Operating Fund Reserve is to be determined and included in the operating budget for the following fiscal year, except as otherwise necessary and approved by the Board. An advance of the Members' annual administrative and operating expense contributions may be assessed to the Members at any time in the year upon a determination by the Executive Director that such an advance is necessary to meet payment obligations of the Authority. Subject to the provisions of Section 7.12 of the Authority's Joint Exercise of Powers Agreement, any Member that fails to contribute to the Administrative and Operating Fund Reserve within ninety (90) days of being notified in writing of the amount of its contribution is subject, at the discretion of the Authority's Board of Directors, to an administrative charge of up to five percent (5%) of the amount of that contribution.

Allowable Uses: Funds from this reserve may be used for payment of administrative and operating expenses and may also be used to temporarily advance capital costs or debt service costs if reserves established for such purposes are insufficient to meet payment obligations and repayment is anticipated within six (6) months.

Debt Service Fund Reserve

Purpose: To establish a permanent reserve that mitigates risk of non-payment on the Authority's debt service obligations due to temporary delays in payment from Members.

Reserve Target: This reserve target is set on the basis of having sufficient funds on hand to pay the highest single debt service payment of any single Member should a delay in payment occur. It is initially established at a minimum amount of the sum of one times the maximum annual debt service coverage attributable to each Member, subject to review and adjustment when the Authority issues additional debt.

Source of Funds: Contributions shall be assessed to each Member based on the percentage of its share of the aggregate amount of long-term debt as specified in its Service Agreement. Subject to the provisions of Section 7.12 of the Authority's Joint Exercise of Powers Agreement, any Member that fails to contribute to the Debt Service Fund Reserve within ninety (90) days of being notified in writing of the amount of its contribution is subject, at the discretion of the Authority's Board of Directors, to an administrative charge of up to five percent (5%) of the amount of that contribution.

Allowable Uses: Funds from this reserve may be used to advance a payment on debt service should payment on debt service contributions by Members not be made timely. If funds are used for such a purpose, they shall be reimbursed by the Member(s) benefitting by the advance.

Capital Project Fund Reserve

Purpose: To establish a temporary reserve that provides sufficient working capital for authorized capital expenditures.

Reserve Target: This reserve target is set on the basis of providing for a minimum of two months of budgeted capital expenses and shall generally be calculated at 17% (2 months / 12 months) of the annual capital budget. Total project budgets are approved by the Board individually but are typically approved as a package in the annual CIP budget process. Amounts estimated to be needed for funding in a fiscal year are included in the non-operating budget. Due to uncertainty associated with such projections, these advances are reconciled on a Member-by-Member basis semi-annually and the difference to actual capital expenses charged or credited to the respective Members.

Additional advances in the interim of the quarterly invoices may be required if the Executive Director determines that funds above those on hand are required to meet capital payment obligations. This would be typically used to cover funds for projects that will be reimbursed by external sources, such as with state or federal loans or grants.

Source of Funds: Contributions shall be assessed to each Member based on the capital cost sharing allocation as set forth in the Member's Service Agreement and can be up to the aggregate amount of the approved budgets for the applicable CIP projects. Advanced cash to be reimbursed by external sources (loans, grants, etc.) will be credited back to the respective Member once the temporary reserve is no longer needed. Each Member will be invoiced for its respective share on an annual basis but may pay its share into the Capital Fund Reserve on a quarterly basis. Subject to the provisions of Section 7.12 of the Authority's Joint Exercise of Powers Agreement, any Member that fails to contribute to the Capital Fund Reserve within ninety (90) days of the date that contribution is due to the Authority is subject, at the discretion of the Authority's Board of Directors, to an administrative charge of up to five percent (5%) of the amount of that contribution.

Allowable Uses: Funds from this reserve may be used for payment of capital expenses and may also be used to temporarily advance debt service costs if funds in the Debt Service Fund Reserve are insufficient and repayment is anticipated within six (6) months.

Reserve Reimbursement

Subject to the provisions of Section 7.12 of the Authority's Joint Exercise of Powers Agreement, and at the discretion of the Authority's Board of Directors, if the Member fails to reimburse the aforementioned reserves within six (6) months of the Authority drawing on that Member's share of monies held in the respective reserve, an additional administrative charge in the amount of five percent (5%) per annum of the amount to be reimbursed will be imposed upon that Member, prorated for the period of time between the six month due and the full repayment date.

Accounting/Record Keeping

Each reserve fund shall be accounted for separately on the Authority's accounting records, including recording in sufficient detail to delineate the sources of funds on a per Member basis, in addition to tracking of the uses of such reserves. Advances of cash from Members will be tracked

separately to allow proper crediting to the total contributions due from each Member. Reporting to the Board of Directors on the status of the reserves shall be made no less frequently than annually and will typically be included in the analysis provided during the budget review and approval process.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority this 8th day of June, 2022, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Angela Ramirez Holmes, Chair

ATTEST:

Ellen Wehr, Secretary

ITEM 2.3: CONSIDER APPROVAL OF FINANCE COMMITTEE CHARTER

RESPONSIBLE/LEAD STAFF MEMBER:

James Ciampa, Interim General Counsel

DISCUSSION:

Section 4.3 of the Authority’s Bylaws states that after each committee is formed, it is to develop a charter that sets forth the subject matter areas and scope of activities for that committee and, in conjunction with the Administrator or Executive Director, to develop an annual work plan for the committee. Section 4.3 further provides that committee charters are to be provided to and approved by the Board of Directors.

Attached for the Board’s consideration is the Charter for the Finance Committee, which has been reviewed and revised by the Finance Committee, which recommends it for approval by the Board of Directors.

ALTERNATIVES:

The Board could recommend revisions to the Charter or defer action on this item to a later date.

FISCAL ANALYSIS:

None

ENVIRONMENTAL REQUIREMENTS:

Not applicable

EXHIBITS/ATTACHMENTS:

Finance Committee Charter

VAQUEROS RESERVOIR JOINT POWERS AUTHORITY FINANCE COMMITTEE CHARTER

INTRODUCTION AND PURPOSE

The Finance Committee will provide general oversight of the Authority's finances and interface with the Authority's Treasurer, the Financial Workgroup and Authority staff in connection with financial matters to further the public's trust in the Authority's activities. The Finance Committee will coordinate with Authority staff regarding preparation of the Authority's budget. The Finance Committee will also review various Authority finance-related policies to ensure such policies are properly updated and that compliance with established provisions is adhered.

STRUCTURE AND ORGANIZATION

The Finance Committee will be served by a minimum of three members appointed by the Chair of the Authority's Board of Directors.

MEETINGS AND OPERATIONS

The Finance Committee will establish a regular meeting schedule to accommodate the availability of its members. Meetings will be held in accordance with the Brown Act (Government Code Sections 54950 et seq.). The Finance Committee will keep minutes of meetings and report activities, discussions and recommendations to the Board of Directors.

SCOPE OF WORK AND RESPONSIBILITIES

The Finance Committee shall have the following responsibilities, and any other responsibilities reasonably related to its purpose or assigned by the Chair of the Board of Directors:

- Review and approve the Treasurer's Report on a monthly or other periodic basis.
- Collaborate with Authority staff in the Authority's budget development process, including providing input to Authority staff in connection with the preparation of the Authority's budget, and provide recommendations to the Board of Directors regarding the budget.
- Review the Authority's annual audit and accompanying materials and submit any comments or recommendations to the Board of Directors.
- Review and make recommendations to the Board of Directors regarding long-term capital plans and financial plans for Project improvements.
- Provide input to the Board of Directors with respect to the undertaking of debt.
- Advise the Board of Directors of any finance-related local, state and/or federal policies, legislation or trends that may impact Authority goals and priorities.

- Oversee the Authority’s compliance with all legal and regulatory requirements concerning its financial reporting.
- Ensure implementation of all audit recommendations concerning the Authority’s system of internal controls over financial reporting.
- Review the policies adopted by the Board of Directors on a periodic basis to determine necessary revisions that ensure compliance with the Authority’s internal controls and current practices, processes and procedures.
- Evaluate, with the assistance of Authority staff, the qualifications, competencies and independence of audit firms to complete the annual audit of the Authority’s financial statements, when necessary.
- Provide input on other issues determined by the Board of Directors or Chair of the Finance Committee.
- Annually review this Charter and make appropriate recommendations to the Board of Directors for any necessary revisions.

CHARTER APPROVAL AND ADOPTION

This Charter represents the framework for the conduct of the Finance Committee. As recommended by the Finance Committee, this Charter shall be reviewed, considered and adopted by the Authority’s Board of Directors and reviewed from time to time by the Committee and Board.

ADOPTED by the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority on June 8, 2022.

Angela Ramirez Holmes, Chair

ATTEST:

Ellen Wehr, Secretary

**ITEM 2.4: **CONSIDER APPROVAL OF OPERATIONS AND ENGINEERING
COMMITTEE CHARTER****

RESPONSIBLE/LEAD STAFF MEMBER:

James Ciampa, Interim General Counsel

DISCUSSION:

Section 4.3 of the Authority’s Bylaws states that after each committee is formed, it is to develop a charter that sets forth the subject matter areas and scope of activities for that committee and, in conjunction with the Administrator or Executive Director, to develop an annual work plan for the committee. Section 4.3 further provides that committee charters are to be provided to and approved by the Board of Directors.

Attached for the Board’s consideration is the Charter for the Operations and Engineering Committee, which has been reviewed by the Operations and Engineering Committee, which recommends it for approval by the Board of Directors.

ALTERNATIVES:

The Board could recommend revisions to the Charter or defer action on this item to a later date.

FISCAL ANALYSIS:

None

ENVIRONMENTAL REQUIREMENTS:

Not applicable

EXHIBITS/ATTACHMENTS:

Operations and Engineering Committee Charter

LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY OPERATIONS AND ENGINEERING COMMITTEE CHARTER

INTRODUCTION AND PURPOSE

The Operations and Engineering Committee will assist the Authority's Board of Directors by initially reviewing and vetting various aspects of the Authority's designing, planning, constructing, operating and maintaining the Project and its facilities. The Operations and Engineering Committee will collaborate with Authority staff on various Project-related agreements into which the Authority will enter.

STRUCTURE AND ORGANIZATION

The Operations and Engineering Committee will be served by a minimum of three members appointed by the Chair of the Authority's Board of Directors.

MEETINGS AND OPERATIONS

The Operations and Engineering Committee will establish a regular meeting schedule to accommodate the availability of its members. Meetings will be held in accordance with the Brown Act (Government Code Sections 54950 et seq.). The Operations and Engineering Committee will prepare summaries of items discussed at its meetings and report activities, discussions and recommendations to the Board of Directors.

SCOPE OF WORK AND RESPONSIBILITIES

The Operations and Engineering Committee shall have the following responsibilities, and any other responsibilities reasonably related to its purpose or assigned by the Chair of the Board of Directors:

- Be informed of the current status of the Project and various ongoing design, planning and construction activities.
- Provide input to Authority staff in connection with the negotiation and preparation of various Project-related agreements and review and provide feedback on the drafts of such agreements.
- Provide feedback to Authority staff with respect to Project operations once the Project begins operations.
- Review policies adopted by the Board of Directors regarding Project-related design, construction and operations issues on a periodic basis to determine appropriate or necessary changes.
- Provide input on other issues determined by the Board of Directors or Chair of the Operations and Engineering Committee.

- Annually review this Charter and make appropriate recommendations to the Board of Directors for any necessary revisions.

CHARTER APPROVAL AND ADOPTION

This Charter represents the framework for the conduct of the Operations and Engineering Committee. As recommended by the Operations and Engineering Committee, this Charter shall be reviewed, considered and adopted by the Authority’s Board of Directors and reviewed from time to time by the Committee and Board.

ADOPTED by the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority on June 8, 2022.

Angela Ramirez Holmes, Chair

ATTEST:

Ellen Wehr, Secretary

ITEM 3.1: PROGRAM MANAGEMENT APPROACH

RESPONSIBLE/LEAD STAFF MEMBER:

Marguerite Patil, Interim Administrator

DISCUSSION:

The Los Vaqueros Reservoir Joint Exercise of Powers Agreement (JPA Agreement) provides that the Board of Directors may engage one or more persons or entities to provide program management services as a Program Manager. The Program Manager would report to the Executive Director and would coordinate various design and construction activities for the Project under the Project-related agreements that will be forthcoming.

The Interim Administrator will discuss this position and its contemplated roles in more detail at the Board meeting.

ALTERNATIVES:

For discussion purposes

FISCAL ANALYSIS:

Fiscal impact is estimated to be up to \$200,000.

ENVIRONMENTAL REQUIREMENTS:

Not applicable

EXHIBITS/ATTACHMENTS:

None

ITEM 3.2: REVIEW OF BOARD POLICY AND ACTION CALENDAR

RESPONSIBLE/LEAD STAFF MEMBER:

Marguerite Patil, Interim Administrator

DISCUSSION:

The updated Board Policy and Action Calendar is provided for the Board's information. The Calendar is presented in outline form including Authority Board meeting items by month for the next six months. In addition, the overview graphic is included, organized by functional area to show potential discussion and action items for Authority Board and Committee meetings for 2022 and early 2023.

ALTERNATIVES:

Not applicable

FISCAL ANALYSIS:

Not applicable

ENVIRONMENTAL REQUIREMENTS:

Not applicable

EXHIBITS/ATTACHMENTS:

6-Month Calendar and Outline of Board Policies and Actions

Overview Graphic of 2022 Draft Major Policy Calendar

**LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY
6-MONTH CALENDAR AND OUTLINE OF BOARD POLICIES AND ACTIONS**

June 2022

Final FY23 Budget [Action Item]

Reserve Policy [Action Item]

Finance Committee Charter [Action Item]

Operations and Engineering Committee Charter
[Action Item]

Program Management Services Approach
[Discussion Item]

Executive Director Recruitment [Interim
Administrator Report]

Draft Records Retention Schedule and Policy
[referred to Communications & Outreach
Committee]

Draft Social Media Policy [referred to
Communications & Outreach Committee]

Draft Communications and Outreach Committee
Charter [to be under review by Communications
and Outreach Committee]

July 2022

Program Management Services Contract Request
for Proposals [Action Item]

DWR MOU [Action Item]

Communications and Outreach Committee Charter
[Action Item]

Records Retention Policy and Schedule [Action
Item]

Social Media Policy [Action Item]

August 2022

Executive Director Interviews [Discussion Item]

Draft Interim Funding Agreement [Discussion Item]

Service Agreement Approach [Discussion Item]

Bank Services [Discussion Item]

Liability and Errors and Omissions Insurance
[Discussion Item]

Draft CCWD Design and Construction Agreement
[Discussion Item]

September 2022

Executive Director Contract [Action Item]

Interim Funding Agreement [Action Item]

Bank Services [Action Item]

Liability and Errors and Omissions Insurance
[Discussion Item]

Plan of Finance [Discussion Item]

Conflict of Interest Code [Discussion Item]

October 2022

Conflict of Interest Code [Action Item]

Liability and Errors and Omissions Insurance
[Action Item]

Board Clerk Recruitment [Discussion Item]

Service Agreement Approach [Discussion Item]

WIFIA Loan Credit Rating [Discussion Item]

CCWD Design and Construction Agreement
[Discussion Item]

November 2022

Program Management Services Contract [Action
Item]

November 2022 [continued]

Board Clerk Recruitment [Action Item]

WIFIA Loan Credit Rating [Action Item]

CCWD Design and Construction Agreement
[Action Item]


CCWD Technical Services Agreement [Discussion
Item]

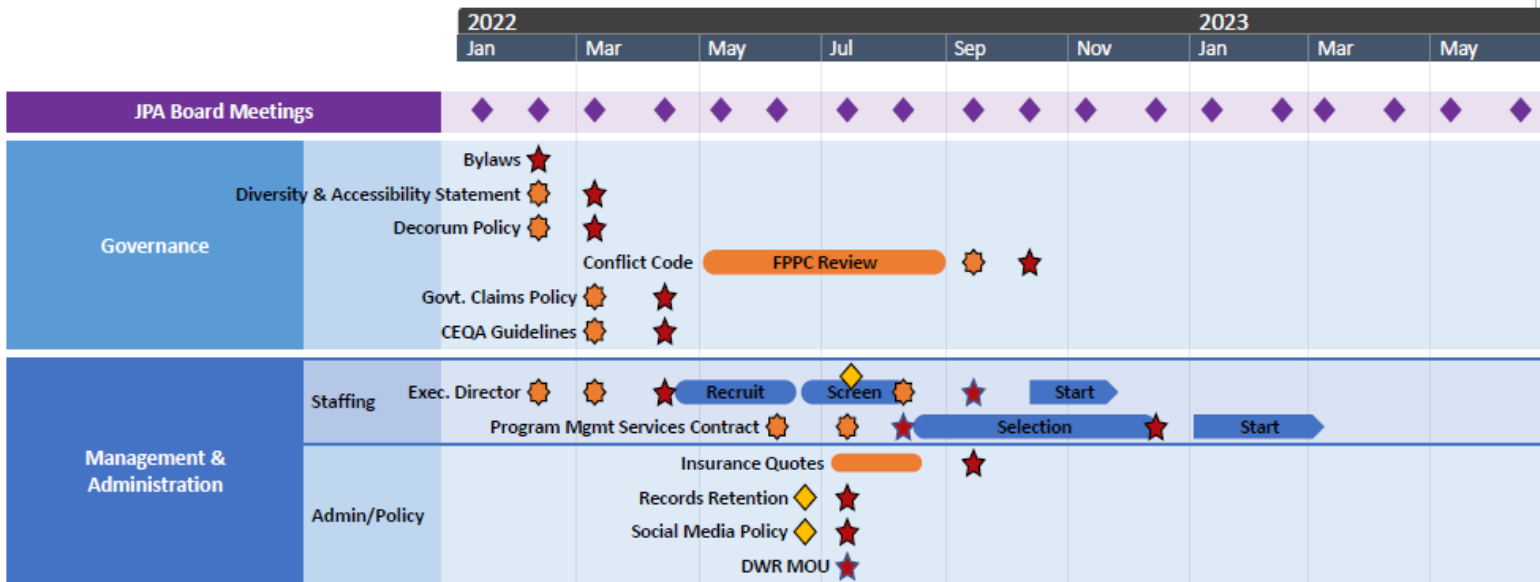
CCWD Usage Fee Agreement [Discussion Item]

Plan of Finance [Discussion Item]

Contracts for Administration of Public Benefits
[Discussion Item]

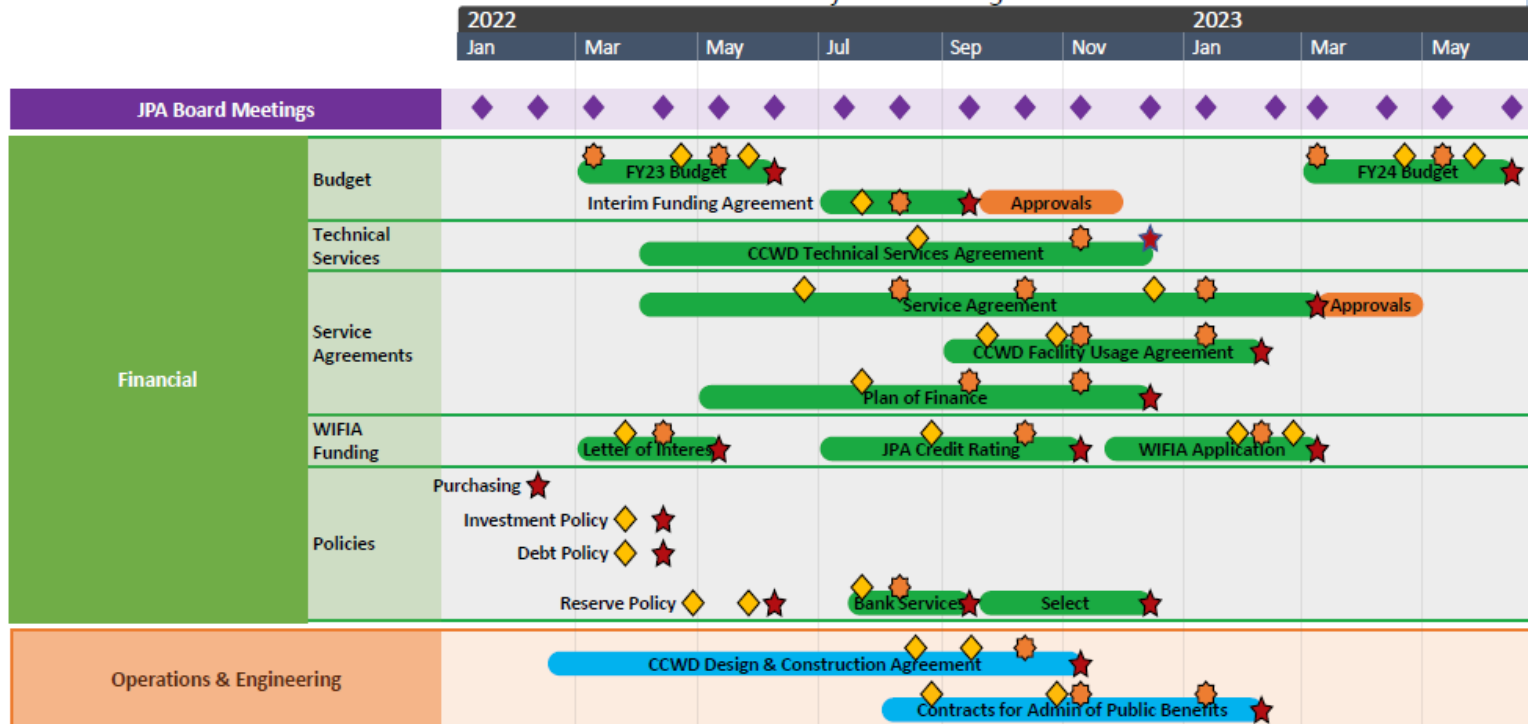
Los Vaqueros Reservoir Joint Powers Authority Draft 2022 Major Policy Calendar *Dates Subject to Change*

 CWC Award Hearing



Los Vaqueros Reservoir Joint Powers Authority Draft 2022 Major Policy Calendar *Dates Subject to Change*

CWC Award
Hearing



Future Agreements to Develop (Schedules TBD)

EBMUD Facility Usage Agreement, EBMUD Design & Construction Agreement, Conveyance Agreement(s) (e.g., SBA), O&M Agreements, CCWD Backstop Agreement

ITEM 4.4: COMMITTEE MEETING SUMMARIES

RESPONSIBLE/LEAD STAFF MEMBER:

James Ciampa, Interim General Counsel

RECOMMENDATION:

None

DISCUSSION:

Attached for the Board of Directors' information are the summaries from April 28 and May 26 Finance Committee meetings, the April 21 and May 26 Operations and Engineering Committee meetings and the April 27 Communications and Outreach Committee meeting.



SUMMARY OF REGULAR MEETING OF FINANCE COMMITTEE

April 28, 2022 – 3:00 p.m.

Present at the meeting were Chair, Anthea Hansen, Vice Chair, Paul Sethy and Committee members John Coleman and Linda J. LeZotte.

The draft minutes from the March 31, 2022 Finance Committee meeting were presented and were unanimously approved without change.

FY23 Budget Overview: Interim Administrator Patil provided a detailed presentation on the proposed FY23 Budget and updated the Committee with details on the status of the budget development process. The Committee members asked questions and provided input regarding the draft FY23 Budget.

Procedures regarding Board Action on Treasurer's Report: Interim Administrator Patil advised that Treasurer Sethy raised the issue concerning how the Treasurer's Report should be approached from a Board consideration and approval standpoint. The governing boards at many agencies receive and file their financial reports. As that would be a Board action rather than simply a report to the Board, it would be necessary to move the Treasurer's Report to the Action Items in future Board meetings if the Treasurer's Report was handled in that manner. Alternatively, the Treasurer's Report could be included on the Consent Calendar, but that does not lend itself to discussion of that report. Vice Chair Sethy suggested that the Treasurer's report be reviewed by the Finance Committee each month and then be submitted to the Board of Directors on the Consent Calendar at the next Board of Directors' meeting. The Committee concurred with that approach but noted the Treasurer's Report presented in that manner would relate to financial statements from the month ended approximately six weeks before the Board meeting at which that report was presented for approval.

Draft Reserve Policy: Interim General Counsel Ciampa advised that although the Authority will be funded by the Members on a pass-through basis based on the respective Members' Service Agreements, to ensure adequate monies are on hand to meet the Authority's financial obligations, it would be prudent for the Authority to establish monetary reserves that can be drawn upon if necessary to meet Authority financial obligations and then be subsequently replenished. He then reviewed the draft Reserve Policy included in the meeting materials.

Director LeZotte requested clarification and raised several questions with respect to certain sections of the Policy, including adding a monetary penalty for delinquent reserve contributions and clarifying the debt service reserve should cover a six-month period. Staff was requested to incorporate the suggested changes and bring a revised draft back to the Committee for discussion at the May 26, 2022 Committee meeting.

Draft Finance Committee Charter: Interim General Counsel Ciampa advised that Section 4.3 of the Authority’s Bylaws requires each Authority committee to develop a charter that sets forth the subject matter areas and scope of activities for that committee. Section 4.3 further provides that committee charters are to be provided to and approved by the Board of Directors.

The Committee was provided with a draft Finance Committee Charter for discussion. After discussion by members of the Committee, staff was asked to make the suggested changes and to bring a revised draft back for consideration at the May 26 Committee meeting.

Future Agenda Items: Interim Administrator Patil mentioned the following upcoming items: (1) Treasurer’s Report update; (2) audit issues; (3) Plan of Finance; (4) overview of cost allocations; (5) revised Reserve Policy; and (6) revised Finance Committee Charter.

The meeting adjourned at 4:20 p.m.

James D. Ciampa

James D. Ciampa
Interim General Counsel



SUMMARY OF REGULAR MEETING OF FINANCE COMMITTEE

May 26, 2022 – 1:00 p.m.

Present at the meeting were Chair, Anthea Hansen, Vice Chair, Paul Sethy and Committee members John Coleman and Linda J. LeZotte.

The draft minutes from the April 28, 2022 Finance Committee meeting were presented and were unanimously approved without change.

In order to accommodate Interim Legal Counsel's time constraints, Chair Anthea Hansen reordered the agenda, moving Items 1.3 and 1.4 before Item 1.2

1.1 April 28, 2022 Finance Committee Meeting Summary: Interim General Counsel James Ciampa reviewed the summary of the April 28, 2022 Finance Committee meeting. No changes were suggested and that summary will be included in the materials for the June 8, 2022 Board of Directors' meeting.

1.3 Revised Draft Reserve Policy: Based on feedback received at the April 28, 2022 Finance Committee meeting, Interim General Counsel Ciampa reviewed the proposed revisions to the draft Reserve Policy. After discussion, the Committee unanimously concurred to present the draft Reserve Policy, as revised, to the Board of Directors for approval at the June 8 Board meeting.

1.4 Revised Draft Finance Committee Charter: Based on feedback received at the April 28, 2022 Finance Committee meeting, Interim General Counsel Ciampa reviewed the suggested revisions to the draft Finance Committee Charter. After discussion, the Committee unanimously concurred to present the draft Finance Committee Charter, as revised, to the Board of Directors for approval at the June 8 Board meeting.

1.2 FY 23 Budget Update: As a follow up to the presentations made at the April 28, 2022 Finance Committee meeting and May 11, 2022 Board of Directors' meeting, Deputy Interim Administrator Maureen Martin provided an update on the development of the Fiscal Year 2022-23 Budget. Ms. Martin advised that CCWD was successful in obtaining an additional \$1 million in funding from the State, which was included in the preliminary version of the FY23 Budget that was previously reviewed. After discussion, Vice Chair Sethy suggested a long-term summary be

included at the end of the Budget and also suggested that a copy of the FY23 Budget report in the format presented be provided to the Boards of Directors of the Authority's members.

1.5 Treasurer's Report – Month Ended April 30, 2022: Deputy Interim Administrator Martin advised that as discussed at the April 28, 2022 Finance Committee meeting, the new procedure will be to have the Finance Committee review the Treasurer's Report for the prior month (here, April 2022) and then have the Board of Directors consider that report at its next meeting. The Treasurer's Report for the period ending April 30, 2022 was attached for the Committee's review and discussion. After discussion, the Committee unanimously concurred to present the Treasurer's Report, as presented, to the Board of Directors for approval at the June 8 Board meeting.

Future Agenda Items: Deputy Interim Administrator Martin stated a report on the WIFIA loan progress would be provided at the next Finance Committee meeting.

The meeting adjourned at 1:37 p.m.

James D. Ciampa

James D. Ciampa
Interim General Counsel



SUMMARY OF REGULAR MEETING OF OPERATIONS AND ENGINEERING COMMITTEE

April 21, 2022 – 2:00 p.m.

All members of the Committee (Jose Gutierrez, Chair; Lisa Borba, Jonathan Wunderlich and Steve Ritchie) were present.

PROJECT FACILITIES OVERVIEW: Chris Hentz, LVE Project Engineering Manager at CCWD, provided the Committee with an overview of the existing and planned new and modified facilities included in the LVE Project. Mr. Hentz reviewed the current status of the proposed new and modified facilities. He mentioned the eventual expansion of the Los Vaqueros Dam will require that it be taken out of service for three years. Mr. Hentz answered questions posed by members of the Committee. Interim Administrator Marguerite Patil provided supplemental information in connection with the LVE Project.

SCHEDULING OF COMMITTEE MEETINGS: Interim Administrator Patil recommended that the Committee discuss establishing a regular Committee schedule to support more effective planning for future meetings. The Committee reached consensus to schedule the May Committee meeting for May 26, 2022, at 10:00 a.m. and thereafter to schedule future meetings on the third Thursday of each month, commencing with the June meeting to be scheduled on June 16, 2022, at 10:00 a.m.

FUTURE AGENDA ITEMS: Interim Administrator, Marguerite Patil, advised that possible future items to be discussed are: (1) presentation on current and future operations of the Project (May Committee meeting); (2) presentation on the Design and the Construction Agreement (June Committee meeting); and (3) presentations on the Dam and related cost estimates

The meeting was adjourned at 2:55 p.m.

James D. Ciampa

James D. Ciampa
Interim General Counsel



SUMMARY OF REGULAR MEETING OF OPERATIONS AND ENGINEERING COMMITTEE

May 26, 2022 – 10:00 a.m.

All members of the Committee (Jose Gutierrez, Chair; Jonathan Wunderlich and Steve Ritchie) were present.

The draft minutes from the April 21, 2022 Operations and Engineering Committee meeting were presented and were unanimously approved without change.

Overview Of Current and Future Operations Of The Los Vaqueros Reservoir: Deputy Interim Administrator Maureen Martin provided the Committee with an overview of the current and planned future operations of the Los Vaqueros Reservoir. The presentation included a review of Project facilities, and a summary of the modes of operation, operational constraints and operations of the Project, including information concerning the Authority's possible use of Project facilities. Ms. Martin reviewed three hypothetical operational scenarios. Ms. Martin answered questions posed by Committee members and provided supplemental information, including regarding the ability of CCWD staff to quickly pivot in operating the Project if conditions change.

Draft Operations and Engineering Charter: James Ciampa, Interim General Counsel, reviewed the draft Operations and Engineering Committee Charter. After discussion, a motion was made by committee member Steve Ritchie, seconded by committee member Jonathan Wunderlich, to approve the Operations and Engineering Committee Charter as presented and recommend that the Operations and Engineering Charter be presented to the Board of Directors for approval. The motion was unanimously approved as follows:

AYES: Jose Gutierrez, Chair, San Luis & Delta-Mendota Water Authority
Jonathan Wunderlich, Alameda County Water District
Steve Ritchie, San Francisco Public Utilities Commission
NOES: None
ABSENT: None
ABSTAIN: None

The motion passed with an 3-0 vote.

Future Agenda Items: Deputy Interim Administrator Martin advised that a future item to be discussed is an update on the Los Vaqueros Dam design and related cost estimates

The meeting was adjourned at 10:59 a.m.

James D. Ciampa

James D. Ciampa
Interim General Counsel



SUMMARY OF REGULAR MEETING OF Communications and Outreach Committee

April 27, 2022 – 10:00 a.m.

Present at the meeting were Chair, Angela Ramirez Holmes, and Committee members Ernesto Avila and Ricardo Ortega.

Overview of Communications and Outreach Activities: Interim Administrator Patil provided a summary of the Public Involvement Program Plan (PI Plan) Contra Costa Water District (CCWD) developed during earlier stages of the Phase 2 Los Vaqueros Reservoir Expansion Project (LVE Project). The PI Plan described PI Program Objectives and key PI activities and work products.

Committee members discussed the nature of the activities the Committee will undertake, which will then be incorporated into the Committee’s Charter. Ms. Patil provided additional information in answer to questions posed by members of the Committee. Based on the discussion, Ms. Patil advised that she would prepare a presentation on the PI Plan and a draft of the annual plan which will include historical versus current practice with a focus on goals to be included in the Committee Charter. A phased plan was suggested pending the appointment of the Executive Director.

The Committee discussed possible goals for the Committee and agreed on the following goals, which will be included in the Committee Charter:

1. Provide accurate, timely and easy-to-understand information on Project activities;
2. Maintain open and transparent communications with stakeholders;
3. Ensure the Authority’s accessibility standards for information are met;
4. Support the annual Communications and Outreach Plan to ensure it is consistent with the Authority’s goals and objectives; and
5. Seek input from stakeholders, other agencies and the public.

Discussion followed regarding the content of the introductory paragraph to the Charter. Staff was asked to begin work on the Committee Charter.

Draft Social Media Policy: Interim General Counsel Ciampa advised that an important

part of the Committee's activities will be use of the Authority's website and various social media platforms. He reviewed the draft Social Media Policy that was included in the meeting materials. The Committee discussed the Policy content and suggested additions and changes to the Policy. In particular, the Committee members requested clarification concerning to whom the policy applied and how to handle any breach of the policy. The Chair suggested incorporating the Authority's Decorum Policy and adding a provision on ethics compliance. It was the consensus of the Committee to bring a revised draft of the policy back for discussion at the next Committee meeting.

Records Retention Policy Approach: Interim General Counsel Ciampa advised that local agencies typically adopt a Records Retention Policy and Schedule that sets forth periods for which various categories of documents must be retained and after which such records may be destroyed. He stated the Authority should have its own Records Retention Policy and Schedule. However, the Authority is in a unique situation with CCWD being the Interim Administrator, holding most of the records pertaining to the Project. He also stated it would be prudent to have the Authority's Records Retention Policy be consistent with CCWD's records retention periods.

Discussion followed to provide direction for staff as to how the Committee desires to approach development of the Authority's Records Retention Policy – perhaps by incorporating CCWD's policy or by developing a separate policy. It was the consensus of the Committee to adopt relevant portions of CCWD's policy and establish separate e-mail and website retention periods for the Authority. Staff will bring back a draft Records Retention Policy and Schedule at the next Committee meeting.

Scheduling of Future Committee Meetings: Interim Administrator Patil stated the Committee should establish a regular Committee meeting schedule to support more effective planning for future meetings. In addition, the Committee discussed the proposed location of future Committee meetings once in-person meetings can proceed. After discussion, it was the consensus of the Committee to meet on the fourth Wednesday of every other month at 10:00 a.m. Subsequent meetings are scheduled for: June 22, 2022, August 24, 2022 and October 26, 2022. Interim General Counsel Ciampa will send out meeting invites for those future meetings.

Future Agenda Items: Interim Administrator Patil mentioned the following up-coming items: (1) Updates to fact sheets and website; and (2) website accessibility and statement of compliance relative to ADA requirements.

The meeting adjourned at 11:13 a.m.

James D. Ciampa

James D. Ciampa
Interim General Counsel